

**IN THE MATTER OF SUBSTANTIATING THE FINAL HEARING OF THE BRYANT SINGLE COUNTY DITCH AS HELD; ADJUSTING OF THE ESTIMATED ASSESSMENTS; APPROVING THE NEED FOR THE AFFIRMING FORMER ORDER, CONFIRMING THE ASSESSMENTS, AND ORDERING THE LETTING OF THE CONTRACTS FOR BRYANT SINGLE COUNTY DITCH PROJECT.**

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The Board of Auglaize County Commissioners met in regular session on the 25th day of March, 2010.

Commissioner Spencer moved the adoption of the following

**RESOLUTION**

**WHEREAS**, on March 9, 2010, the Board of County Commissioners of Auglaize County conducted a Final Hearing for the Bryant Single County Ditch project on the Reports and Schedules of the County Engineer, on the estimated assessments, on claims for compensation or damages and on the proceedings for the improvement, and on application filed for change of route or change in the nature, kind and extent of the work proposed to be done; and,

**WHEREAS**, at said final hearing, the County Engineer's Report did estimate the total project cost, including the planned work to be completed and paid for by the Auglaize County Highway Department and Noble Township Trustees amounted to \$ 82,844.86(\$ 63,614.86 assessed to property owners + \$19,230 County and Township contribution) and,

**WHEREAS**, at said Final Hearing, based upon testimony provided by those in attendance, property owners representing 12% of the total project cost expressed their opinion against the improvement; and,

**WHEREAS**, at said Final Hearing the route of an outlet for the Carol Brown property (02156 Glynwood Road) and that property's estimated assessment was questioned by property owners; and,

**WHEREAS**, on March 23<sup>rd</sup>, 2010 Douglas Reinhart, Auglaize County Engineer and Matt Quinter, County Design Engineer met with Mr. & Mrs. Brown at their residence, outlined their options on utilizing either an existing corrugated plastic tile for a future outlet or taking advantage tapping into the proposed 18" storm sewer main to be installed as a part of the Bryant Single County Ditch; and,

**WHEREAS**, Mrs. Brown, owner of the property requested to have the ability to tap into the proposed Bryant Single County Ditch at an additional tap in fee (added onto their proposed estimated assessment) of \$ 2,593.86 and waived their right for the need to reconvene an additional final hearing because of their increased assessment (written document provided by the Browns).

**THEREFORE, BE IT RESOLVED**, the Board of County Commissioners, Auglaize County, Ohio, for the health, safety and welfare of those property owners within the Bryant Ditch watershed, does hereby approve the need for the improvement; considered and approved the Brown request for a tap and ordered the Auglaize County Engineer to prorate and lower the estimated assessments for all other landowners in the watershed paying for the "Main Ditch" by the \$ 2,593.86 additional tap fee paid by the Browns; set eight (8) years [sixteen (16) semi-annual payments] for financing for the note to provide the balance of monies needed to complete payment of project after the thirty day assessment payment period has passed; and,.

**BE IT FURTHER RESOLVED** that the Board of County Commissioners, Auglaize County, Ohio, does hereby rule in favor of this improvement as in its former order; and,

**Resolution – March 25, 2010**  
**Bryant Ditch bid date**

**BE IT FURTHER RESOLVED** that the Board of County Commissioners, Auglaize County, Ohio, does hereby set May 4, 2010, at 9:00 a.m. as the date and time to receive and publicly open bids in the Commissioners Chambers for the construction of this project; and,

**BE IT FURTHER RESOLVED** that the completion date for this project is December 31, 2010; and,

**BE IT STILL FURTHER RESOLVED** that the County Engineer is hereby authorized to proceed with the necessary legal steps to cause the above set bid opening.

Commissioner Regula seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the resolution as follows:

Adopted this  
25th day of  
March, 2010

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Don Regula      yes  
Don Regula

John N. Bergman      yes  
John N. Bergman

Douglas A. Spencer      yes  
Douglas A. Spencer

cc: Auglaize County Engineer

**CERTIFICATION**

As duly appointed Clerk of the Board of County Commissioners, Auglaize County, Ohio, I do hereby certify that above is a true and correct copy of Resolution No. 10-107 approved and passed by the Board County Commissioners of Auglaize County, Ohio, on March 25, 2010.

\_\_\_\_\_  
Connie Cordonnier, Clerk  
Board of County Commissioners  
Auglaize County, Ohio

Dated: \_\_\_\_\_

**IN THE MATTER OF SETTING DATE AND TIME TO RECEIVE QUOTATIONS FOR THE DEMOLITION OF RESIDENCE NEAR BUCKLAND UNDER THE NEIGHBORHOOD STABILIZATION PROGRAM GRANT.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 25th day of March, 2010.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, Auglaize County entered into a Subrecipient Agreement with Miami County Commissioners for funding through the FY 2008 Neighborhood Stabilization Program (NSP) Grant; and,

**WHEREAS**, under this Agreement, Auglaize County was awarded funding to demolish one vacant residential property in the NSP Target Area; said residence located at 19908 Buckland River Road in Buckland, Ohio; and,

**WHEREAS**, specifications have been drafted for said demolition, making it necessary to set a date and time to open quotations for said project.

**THEREFORE BE IT RESOLVED** that the Board of County Commissioners, Auglaize County, Ohio, does hereby set April 8, 2010 at 1:30 p.m. as the date and time to publicly open quotations for the demolition of the residential property located at 19908 Buckland River Road.

Commissioner Regula seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Adopted this  
25th day of  
March, 2010

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Don Regula , yes  
Don Regula  
John N. Bergman , yes  
John N. Bergman  
Douglas A. Spencer , yes  
Douglas A. Spencer



# AUGLAIZE COUNTY

## Board of County Commissioners

209 S. Blackhoof St., Room 201

Wapakoneta, Ohio 45895

Phone: 419-739-6710

e-mail: [commissioners@auglaize.org](mailto:commissioners@auglaize.org)

Fax: 419-739-6711

March 25, 2010

**TO:** Wapakoneta Daily News  
(For publication in WDN)

**FROM:** Board of County Commissioners, Auglaize County, Ohio

**RE: CLASSIFIED AD**

Please publish the following **Classified Ad** in the **Wapakoneta Daily News** for three (3) days as follows: **Friday, March 26; Saturday, March 27; and Monday, March 29, 2010.**

**DEMOLITION WORK: The Auglaize County Commissioners are demolishing a residence near Buckland. Quotes for demolition due April 8, 2010 at 1:30 p.m. Any questions, call 419-739-6710.**

Also, please send **Invoice and Certificate of Publication** to:  
Board of Auglaize County Commissioners  
209 S. Blackhoof Street, Room 201  
Wapakoneta, Ohio 45895

Thank you.

**IN THE MATTER OF AUTHORIZING AMENDMENT/S TO THE ANNUAL APPROPRIATION DUE TO MONEYS CERTIFIED AND NOT APPROPRIATED.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 25th day of March, 2010.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, the Board has been requested to amend the Annual Appropriation with moneys that were certified and unappropriated; and,

**WHEREAS**, the request is to amend the 2010 Annual Appropriation to reflect the following increases:

|                              |   |                     |
|------------------------------|---|---------------------|
| <b>Salary Reserve Fund -</b> |   |                     |
|                              | <b>Increase 058.0058.510200 (Salary) -</b>            | <b>\$100,000.00</b> |
| <b>09 Vision Fund -</b>      |   |                     |
|                              | <b>Increase 093-0093.530600 (Construction) -</b>      | <b>\$ 1,325.32</b>  |
| <b>2010 ACT Grant -</b>      |   |                     |
|                              | <b>Increase 038.0038.530600 (Contract Services) -</b> | <b>\$33,900.00</b>  |

**THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio, does hereby authorize the 2010 Annual Appropriation Resolution be amended to show the changes as tabulated above.

Commissioner Regula seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Adopted this  
25th day of  
March, 2010

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Don Regula, yes  
Don Regula

John N. Bergman, yes  
John N. Bergman

Douglas A. Spencer, yes  
Douglas A. Spencer

cc:  County Auditor  
 Co. Administrator  
 Sheriff

**IN THE MATTER OF AUTHORIZING BUDGET ADJUSTMENT/S .**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 25th day of March, 2010.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

WHEREAS, the Board has been requested to authorize budget adjustments as follows: and,

**Victim Services Contract Fund:**

| Amount:     | From:                           | To:                        |
|-------------|---------------------------------|----------------------------|
| \$18,500.00 | 001.1701.538000 (Contingencies) | 001.1107.510200 (Salary)   |
| \$ 150.00   | 001.1701.538000 (Contingencies) | 001.1107.510201 (Medicare) |
| \$ 500.00   | 001.1701.538000 (Contingencies) | 001.1107.536700 (PERS)     |

**Sheriff Fund:**

| Amount:    | From:                      | To:                          |
|------------|----------------------------|------------------------------|
| \$5,000.00 | 001.0601.530600 (Services) | 001.0601.535000 (Allowances) |

**THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio, does hereby authorize the budget adjustments to show the changes as tabulated above.

Commissioner Regula seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Adopted this  
25th day of  
March, 2010

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Don Regula , yes  
Don Regula

John N. Bergman , yes  
John N. Bergman

Douglas A. Spencer , yes  
Douglas A. Spencer

cc: ✓ County Auditor  
✓ Pros. Atty.  
✓ Sheriff

**IN THE MATTER OF AUTHORIZING THE COUNTY AUDITOR TO ISSUE A WARRANT TO VILLAGE OF CRIDERSVILLE FROM THEIR PERMISSIVE LICENSE PLATE TAX FUND AS RECOMMENDED BY THE COUNTY ENGINEER.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 25<sup>th</sup> day of March, 2010.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, the following letter of request was submitted to the Board of County Commissioners by Doug Reinhart, County Engineer:

The Village of Cridersville has provided to me a paid invoice in excess of \$125,000 for improvements to streets during 2009 which qualifies for Permissive License Plate Tax funding. Please authorize the Auglaize County Auditor to reimburse the Village of Cridersville \$20,260.73 from their Permissive License Plate Fund.

s/Douglas Reinhart  
Douglas Reinhart, P.E., P.S.  
Auglaize County Engineer

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners, respective of Engineer Reinhart's request, does hereby authorize the County Auditor to issue a warrant in the amount of \$20,260.73 made payable to the Village of Cridersville with funds to be drawn from their Permissive License Plate Tax Fund.

Commissioner Regula seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Adopted this  
25th day of  
March, 2010

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Don Regula, yes  
Don Regula

John N. Bergman, yes  
John N. Bergman

Douglas A. Spencer, yes  
Douglas A. Spencer

cc: County Engineer  
County Auditor  
Village of Cridersville

**IN THE MATTER OF AUTHORIZING THE SECUREMENT OF A NOTE FROM FIRST NATIONAL BANK IN NEW BREMEN FOR THE KETTLER DITCH IMPROVEMENT.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 25th day of March, 2010.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

WHEREAS, on March 16, 2010, in Resolution #10-098, the Board of County Commissioners authorized the securement of interest costs for a note in the following amount for the balance of money needed to complete the following ditch improvement:

**Kettler Ditch project.....\$132,171.95**

and,

WHEREAS, the following quotations was received for the above mentioned note:

**For Kettler Ditch improvement project:**

**First National Bank in New Bremen.....3.85%**

**Minster Bank .....4.21%**

and,

WHEREAS, the quotations were shared with County Auditor Janet Schuler, for her review and recommendation with said recommendation being to award the ditch note to First National Bank in New Bremen as said bank met the bid requirements for this project.

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners, Auglaize County, Ohio does hereby authorize the securement of an eight year (16 semi-annual installments) note in the amount of \$132,171.95 at the rate of interest of 3.85%, from First National Bank in New Bremen for the balance of money needed to complete the payment of the Kettler Ditch project.

Commissioner Regula seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the resolution as follows:

Adopted this  
25th day of  
March, 2010

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Don Regula, yes  
Don Regula

John N. Bergman, yes  
John N. Bergman

Douglas A. Spencer, yes  
Douglas A. Spencer

cc: County Engineer  
County Auditor  
Bidders

**IN THE MATTER OF AUTHORIZING THE EXECUTION OF CONTRACTS WITH GOLD RADIO GROUP FOR INTERNET SERVICE CONNECTIVITY IN VARIOUS COUNTY BUILDINGS.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 25th day of March, 2010.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, it is advantageous for Auglaize County to have internet services of various outlying county buildings integrated into the telecommunications network system of the County; and,

**WHEREAS**, Gold Radio Group has offered, at this time, contracts for said services to the County at a cost of \$42.95 each per month; and,

**WHEREAS**, Auglaize Acres will need two (2) services brought into the building at a cost of \$ 85.90 per month; and,

**WHEREAS**, Recycle Center will need one (1) service brought into the building at a cost of \$42.95 per month; and,

**WHEREAS**, the Board of County Commissioners Office will be paying Gold Radio Group; and,

**WHEREAS**, the Recycle Center will be invoiced \$100.00 per month for the service and IT support provided by the Board of County Commissioners; and,

**WHEREAS**, the Acres will be invoiced \$150.00 per month for the service from Gold Radio Group and IT support provided by the Board of County Commissioners.

**THEREFORE, BE IT RESOLVED** that the Board of Commissioners, Auglaize County, Ohio, does hereby approve the three (3) contracts as presented by Gold Radio Group for said integrated internet services as mentioned above; and,

**BE IT FURTHER RESOLVED** that the Board authorizes the President of the Board to execute the contracts from Gold Radio Group for said services so mentioned, as well as, directing the Clerk of the Board of County Commissioners to invoice the offices as mentioned above.

Commissioner Regula seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Adopted this  
25th day of  
March, 2010

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Don Regula  
Don Regula

John N. Bergman  
John N. Bergman

Douglas A. Spencer  
Douglas A. Spencer



Gold Radio Group  
301 W. South St., P. O. Box 1  
New Knoxville, OH 45871  
Toll Free: 866.320.4845  
[www.goldradiogroup.com](http://www.goldradiogroup.com)

## GOLD RADIO GROUP WIRELESS INTERNET AND DIGITAL PHONE CUSTOMER AGREEMENT

**CONSENT AGREEMENT** Upon subscription to this service you acknowledge and certify that:

1. You are an adult (18 years of age or older)
2. You have read and understand and agree to be bound by the terms and conditions of this contract.
3. For residential service, you will restrict use of this service to your immediate family and will not resell or provide service to other individuals or commercial parties.
4. You agree to comply with all Federal, State and local applicable laws, rules and regulations in connection with this service.
5. The total liability of Gold Radio Group to anyone under this agreement, regardless of the form of action (whether in contract, tort, strict liability, failure of essential purpose or otherwise), shall not exceed the amount that you would have paid Gold Radio Group under this agreement during the period of time that such liability was incurred.
6. Gold Radio Group is not responsible for the security of your computer nor will it be responsible for installing the appropriate software/hardware to avoid security breaches of your system.
7. The terms and conditions of this agreement are subject to change and notice of change will be posted on our Web site and provided by e-mail or telephone.

### **ADDITIONAL TERMS AND CONDITIONS**

1. **Service** You agree to purchase wireless internet access and/or digital phone service from Gold Radio Group at one (1) or more of the six (6) levels of service listed below:
  - a. Standard Wireless Internet 256 Kbps down / 128 Kbps up
  - b. Premium Wireless Internet 512 Kbps down / 128 Kbps up
  - c. Gold Wireless Internet 1.0 Mbps down / 384 Kbps up
  - d. Ultra Wireless Internet 1.5 Mbps down / 512 Kbps up
  - e. Basic Digital Phone Local, LD
  - f. Enhanced Digital Phone Local, LD, and Features

Wireless Internet speeds are the maximum throughput at each service level. Actual speeds may vary depending on environmental and other technical factors. If you subscribe to "unlimited" LD, you further agree not to use the LD to establish dial up internet connections to ISPs.

2. **Terms of Agreement** The installation charge for wireless internet service is \$159.90. The installation charge for digital phone service is \$30.00. Installation charges are due at the time of installation, payable by credit card or cash. This agreement provides for two (2) minimum service terms being one (1) and two (2) year periods. Customers agreeing to a one (1) year contract will receive a \$50 credit to the first month's bill. Customer's agreeing to a (2) year contract will receive a \$100 credit to the first month's bill. After the initial term service will continue on a month-to-month basis.
3. **Default and Remedies** You will be considered in Default of the Agreement if 1) payment for any Service has not been made within ten (10) days after we have sent you a notice via e-mail that such payment is overdue and 2) for any other breach of this Agreement that is not remedied within ten (10) days after notice of such breach, or for any breach of our Acceptable Use Policy for our Wireless Internet Access and/or Digital Phone Service. If you are in default of this

Agreement, we may terminate all Services under this Agreement without further notice to you and you will be charged an early termination fee of the base level monthly service charge times the number of months remaining in your contract.

4. **Equipment** Wireless service requires the installation of Customer Premise Equipment (CPE). This equipment remains the sole and exclusive property of Gold Radio Group and shall be returned to Gold Radio Group at the time of contract termination. Any mistreatment or negligence by the customer or natural occurrences resulting in damage to the equipment shall require that the customer pay replacement costs.
5. **Interruption of Service** Service may be interrupted at times for a variety of reasons. While the service provider will attempt to restore service in a timely manner, we assume no liability for any damages resulting from service interruptions.
6. **E911 Notification** The Federal Communications Commission (FCC) requires notifying VoIP customers of their possible loss of local telephone service and 911 Emergency services.
  - a. Should you relocate your modem to another address, your E911 location would be incorrect – so moving your modem to another address without notice to us would cause emergency providers to arrive at an incorrect address.
  - b. Should you have an Internet connection failure, your service may not work. If the failure is due to a computer/equipment problem in your home, your service should work.
  - c. Should there be an electrical power outage, services would be interrupted. You may purchase an ancillary battery back-up for your unit.
  - d. In reporting your information to the E911 database – there may be a delay of time from when you are connected with service and the information is loaded into the database. This timeframe may be up to two weeks.

Date: 3 / 19 / 2010

Print Name: AUGLAIZE COUNTY COMMISSIONERS

Signature: Don Reynolds

Customer Email Address: commissioners@auglaizecounty.org

Service Address: AUGLAIZE ACRES NURSING HOME 13003 INFIRMARY RD., Wapakoneta #1

County: AUGLAIZE Township: \_\_\_\_\_

Billing Address: (if different than service address) AUGLAIZE COUNTY COMMISSIONERS OFFICE 209 S. BLACKHOCK, WAPAKONETA, OH. 45895

CC: MC, Visa, Discover N/A CC Number \_\_\_\_\_ Svc No \_\_\_\_\_ Exp Date \_\_\_\_\_

Term of Contract: \_\_\_\_\_ One Year  Two Years

Installation Charge: -0- Promo: -0- (may supersede other incentives listed above)

Internet Pkg: 1.5 x 512 at 42.95 per month. Phone Line N/A at \_\_\_\_\_ per month

LD @ \$0.08/Min \_\_\_\_\_ Unlimited LD @ \$19.95/Mon \_\_\_\_\_

Type of Service: \_\_\_\_\_ Residential  Commercial



**Gold Radio Group**  
301 W. South St., P. O. Box 1  
New Knoxville, OH 45871  
Toll Free: 866.320.4845  
[www.goldradiogroup.com](http://www.goldradiogroup.com)

## **GOLD RADIO GROUP WIRELESS INTERNET AND DIGITAL PHONE CUSTOMER AGREEMENT**

**CONSENT AGREEMENT** Upon subscription to this service you acknowledge and certify that:

1. You are an adult (18 years of age or older)
2. You have read and understand and agree to be bound by the terms and conditions of this contract.
3. For residential service, you will restrict use of this service to your immediate family and will not resell or provide service to other individuals or commercial parties.
4. You agree to comply with all Federal, State and local applicable laws, rules and regulations in connection with this service.
5. The total liability of Gold Radio Group to anyone under this agreement, regardless of the form of action (whether in contract, tort, strict liability, failure of essential purpose or otherwise), shall not exceed the amount that you would have paid Gold Radio Group under this agreement during the period of time that such liability was incurred.
6. Gold Radio Group is not responsible for the security of your computer nor will it be responsible for installing the appropriate software/hardware to avoid security breaches of your system.
7. The terms and conditions of this agreement are subject to change and notice of change will be posted on our Web site and provided by e-mail or telephone.

### **ADDITIONAL TERMS AND CONDITIONS**

1. **Service** You agree to purchase wireless internet access and/or digital phone service from Gold Radio Group at one (1) or more of the six (6) levels of service listed below:
  - a. Standard Wireless Internet 256 Kbps down / 128 Kbps up
  - b. Premium Wireless Internet 512 Kbps down / 128 Kbps up
  - c. Gold Wireless Internet 1.0 Mbps down / 384 Kbps up
  - d. Ultra Wireless Internet 1.5 Mbps down / 512 Kbps up
  - e. Basic Digital Phone Local, LD
  - f. Enhanced Digital Phone Local, LD, and Features

Wireless Internet speeds are the maximum throughput at each service level. Actual speeds may vary depending on environmental and other technical factors. If you subscribe to "unlimited" LD, you further agree not to use the LD to establish dial up internet connections to ISPs.

2. **Terms of Agreement** The installation charge for wireless internet service is \$159.90. The installation charge for digital phone service is \$30.00. Installation charges are due at the time of installation, payable by credit card or cash. This agreement provides for two (2) minimum service terms being one (1) and two (2) year periods. Customers agreeing to a one (1) year contract will receive a \$50 credit to the first month's bill. Customer's agreeing to a (2) year contract will receive a \$100 credit to the first month's bill. After the initial term service will continue on a month-to-month basis.
3. **Default and Remedies** You will be considered in Default of the Agreement if 1) payment for any Service has not been made within ten (10) days after we have sent you a notice via e-mail that such payment is overdue and 2) for any other breach of this Agreement that is not remedied within ten (10) days after notice of such breach, or for any breach of our Acceptable Use Policy for our Wireless Internet Access and/or Digital Phone Service. If you are in default of this

Agreement, we may terminate all Services under this Agreement without further notice to you and you will be charged an early termination fee of the base level monthly service charge times the number of months remaining in your contract.

4. **Equipment** Wireless service requires the installation of Customer Premise Equipment (CPE). This equipment remains the sole and exclusive property of Gold Radio Group and shall be returned to Gold Radio Group at the time of contract termination. Any mistreatment or negligence by the customer or natural occurrences resulting in damage to the equipment shall require that the customer pay replacement costs.
5. **Interruption of Service** Service may be interrupted at times for a variety of reasons. While the service provider will attempt to restore service in a timely manner, we assume no liability for any damages resulting from service interruptions.
6. **E911 Notification** The Federal Communications Commission (FCC) requires notifying VoIP customers of their possible loss of local telephone service and 911 Emergency services.
  - a. Should you relocate your modem to another address, your E911 location would be incorrect – so moving your modem to another address without notice to us would cause emergency providers to arrive at an incorrect address.
  - b. Should you have an Internet connection failure, your service may not work. If the failure is due to a computer/equipment problem in your home, your service should work.
  - c. Should there be an electrical power outage, services would be interrupted. You may purchase an ancillary battery back-up for your unit.
  - d. In reporting your information to the E911 database – there may be a delay of time from when you are connected with service and the information is loaded into the database. This timeframe may be up to two weeks.

Date: 3 / 19 / 2010

Print Name: AUGLAIZE COUNTY COMMISSIONERS

✓ Signature: Don Regula

✓ Customer Email Address: commissioners@auglaizecounty.org

Service Address: AUGLAIZE ACRES NURSING HOME 13093 INFIRMARY RD WAHARONETA #2

County: AUGLAIZE

Township: \_\_\_\_\_

Billing Address: (if different than service address) AUGLAIZE COUNTY COMMISSIONERS OFF. 209 S. BLACKHOOF, WAHARONETA, OH 45895

CC: MC, Visa, Discover N/A CC Number \_\_\_\_\_ Svc No \_\_\_\_\_ Exp Date \_\_\_\_\_

Term of Contract: \_\_\_\_\_ One Year  Two Years

Installation Charge: -0- Promo: -0- (may supersede other incentives listed above)

Internet Pkg: 1.5x512 at 42.95 per month. Phone Line N/A at \_\_\_\_\_ per month

LD @ \$0.08/Min \_\_\_\_\_ Unlimited LD @ \$19.95/Mon \_\_\_\_\_

Type of Service: \_\_\_\_\_ Residential  Commercial



Gold Radio Group  
301 W. South St., P. O. Box 1  
New Knoxville, OH 45871  
Toll Free: 866.320.4845  
[www.goldradiogroup.com](http://www.goldradiogroup.com)

## GOLD RADIO GROUP WIRELESS INTERNET AND DIGITAL PHONE CUSTOMER AGREEMENT

**CONSENT AGREEMENT** Upon subscription to this service you acknowledge and certify that:

1. You are an adult (18 years of age or older)
2. You have read and understand and agree to be bound by the terms and conditions of this contract.
3. For residential service, you will restrict use of this service to your immediate family and will not resell or provide service to other individuals or commercial parties.
4. You agree to comply with all Federal, State and local applicable laws, rules and regulations in connection with this service.
5. The total liability of Gold Radio Group to anyone under this agreement, regardless of the form of action (whether in contract, tort, strict liability, failure of essential purpose or otherwise), shall not exceed the amount that you would have paid Gold Radio Group under this agreement during the period of time that such liability was incurred.
6. Gold Radio Group is not responsible for the security of your computer nor will it be responsible for installing the appropriate software/hardware to avoid security breaches of your system.
7. The terms and conditions of this agreement are subject to change and notice of change will be posted on our Web site and provided by e-mail or telephone.

### **ADDITIONAL TERMS AND CONDITIONS**

1. **Service** You agree to purchase wireless internet access and/or digital phone service from Gold Radio Group at one (1) or more of the six (6) levels of service listed below:
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  - c. Gold Wireless Internet 1.0 Mbps down / 384 Kbps up
  - d. Ultra Wireless Internet 1.5 Mbps down / 512 Kbps up
  - e. Basic Digital Phone Local, LD
  - f. Enhanced Digital Phone Local, LD, and Features

Wireless Internet speeds are the maximum throughput at each service level. Actual speeds may vary depending on environmental and other technical factors. If you subscribe to "unlimited" LD, you further agree not to use the LD to establish dial up internet connections to ISPs.

2. **Terms of Agreement** The installation charge for wireless internet service is \$159.90. The installation charge for digital phone service is \$30.00. Installation charges are due at the time of installation, payable by credit card or cash. This agreement provides for two (2) minimum service terms being one (1) and two (2) year periods. Customers agreeing to a one (1) year contract will receive a \$50 credit to the first month's bill. Customer's agreeing to a (2) year contract will receive a \$100 credit to the first month's bill. After the initial term service will continue on a month-to-month basis.
3. **Default and Remedies** You will be considered in Default of the Agreement if 1) payment for any Service has not been made within ten (10) days after we have sent you a notice via e-mail that such payment is overdue and 2) for any other breach of this Agreement that is not remedied within ten (10) days after notice of such breach, or for any breach of our Acceptable Use Policy for our Wireless Internet Access and/or Digital Phone Service. If you are in default of this

Agreement, we may terminate all Services under this Agreement without further notice to you and you will be charged an early termination fee of the base level monthly service charge times the number of months remaining in your contract.

4. **Equipment** Wireless service requires the installation of Customer Premise Equipment (CPE). This equipment remains the sole and exclusive property of Gold Radio Group and shall be returned to Gold Radio Group at the time of contract termination. Any mistreatment or negligence by the customer or natural occurrences resulting in damage to the equipment shall require that the customer pay replacement costs.
5. **Interruption of Service** Service may be interrupted at times for a variety of reasons. While the service provider will attempt to restore service in a timely manner, we assume no liability for any damages resulting from service interruptions.
6. **E911 Notification** The Federal Communications Commission (FCC) requires notifying VoIP customers of their possible loss of local telephone service and 911 Emergency services.
  - a. Should you relocate your modem to another address, your E911 location would be incorrect – so moving your modem to another address without notice to us would cause emergency providers to arrive at an incorrect address.
  - b. Should you have an Internet connection failure, your service may not work. If the failure is due to a computer/equipment problem in your home, your service should work.
  - c. Should there be an electrical power outage, services would be interrupted. You may purchase an ancillary battery back-up for your unit.
  - d. In reporting your information to the E911 database – there may be a delay of time from when you are connected with service and the information is loaded into the database. This timeframe may be up to two weeks.

Date: 3 / 19 / 2010

Print Name: AUGLAIZE COUNTY COMMISSIONERS

Signature: *Don DeGuzza*

Customer Email Address: commissioners@auglaizecounty.org

Service Address: AUGLAIZE CO. RECYCLE CENTER, 15502 ST. MARYS RIVER ROAD

County: AUGLAIZE Township: \_\_\_\_\_

Billing Address: (if different than service address) AUGLAIZE COUNTY COMMISSIONERS OFC. 209 S. BLACKHOPE, WAPARONETA, OH 45695

CC: MC, Visa, Discover N/A CC Number \_\_\_\_\_ Svc No \_\_\_\_\_ Exp Date \_\_\_\_\_

Term of Contract: \_\_\_\_\_ One Year  Two Years

Installation Charge: - 0 - Promo: - 0 - (may supersede other incentives listed above)

Internet Pkg: 1.5x.512 at 42.95 per month. Phone Line N/A at \_\_\_\_\_ per month

LD @ \$0.08/Min \_\_\_\_\_ Unlimited LD @ \$19.95/Mon \_\_\_\_\_

Type of Service: \_\_\_\_\_ Residential  Commercial

**IN THE MATTER OF DOCUMENTING THE RECEIPT OF BIDS FOR HERBICIDES TO BE USED BY THE HIGHWAY DEPARTMENT DURING THE 2010 SEASON; AWARDED BID TO TOWNSEND CHEMICAL DIVISION.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 25th day of March 2010.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, March 18, 2010 being the date set by the Board of County Commissioners in Resolution #10-077, dated March 2, 2010, the following company submitted a bid for the purchase of herbicides for control of noxious weeds to be used by the Highway Department during 2010:

From: Townsend Chemical Division, 9211 E. Jackson Street, Selma, IN 47383

and,

**WHEREAS**, the bid was given to Chief Deputy Engineer Gary Kuck for review and comparison; and,

**WHEREAS**, a verbal recommendation to award the bid to Townsend Chemical Division was given to the Board of County Commissioners by Engineer Reinhart.

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio, does hereby document the receipt of one bid for herbicide materials to be used by the County Highway Department during the 2010 season; and,

**BE IT FURTHER RESOLVED** that the Board, pursuant to Engineer Chief Deputy Kuck's recommendation, does hereby award the bid for said herbicide materials purchase to Townsend Chemical Division.

Commissioner Regula seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Adopted this  
25th day of  
March, 2010

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Don Regula , yes  
Don Regula

John N. Bergman  
John N. Bergman

Douglas A. Spencer , yes  
Douglas A. Spencer

cc: / County Engineer

**IN THE MATTER OF SETTING THE BID DATE AND TIME TO RECEIVE BIDS FOR THE PURCHASE OF A USED BOX TRUCK FOR USE AT THE COUNTY RECYCLE FACILITY.**

\*\*\*\*\*

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 25th day of March, 2010.

Commission Spencer moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, the Auglaize County Solid Waste Management District has received the "2009 Recycle, Ohio!" grant from the Ohio Department of Natural Resources; and,

**WHEREAS**, David Reichelderfer, Solid Waste Coordinator, has proposed to purchase a used box truck for use in the County Recycle facility being partially funded from said 2009 Recycle Ohio! grant; and,

**WHEREAS**, specifications have been prepared for the purchase of said box truck; and,

**WHEREAS**, a 1989 red box truck is to be replaced by this purchase, after said purchase the 1989 truck will be available for sale on the County Auction Site; and,

**WHEREAS**, Coordinator Reichelderfer has asked that the Board of County Commissioners set a date and time to received bids for a used box truck.

**THEREFORE, BE IT RESOLVED**, that the Board of Commissioners, Auglaize County, Ohio does hereby set Thursday, April 15, 2010, at 11:00 a.m., as the date and time to received and publicly open bids for a used box truck for use at the Auglaize County Recycle Facility; and,

**BE IT FURTHER RESOLVED** that partial funding for this purchase will be from the "2009 Recycle Ohio!"

Commissioner Regula seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Adopted this  
25th day of  
March, 2010

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO  
Don Regula, yes  
Don Regula  
John N. Bergman, yes  
John N. Bergman  
Douglas A. Spencer, yes  
Douglas A. Spencer

cc: Solid Waste District – David Reichelderfer

*BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO  
209 S. Blackhoof St., Wapakoneta, Ohio 45895*

Phone: 419-739-6710

Fax: 419-739-6711

March 25, 2010

TO: The Wapakoneta Daily News/The Evening Leader

FROM: Board of County Commissioners, Auglaize County, Ohio

RE: Legal Notice **to be published in The Wapakoneta Daily News and The Evening Leader**

Please publish, in the Legal Section of both of your newspapers, the following Legal Notice on **Thursday, April 1, and Thursday, April 8, 2010.**

Please send **Certificates of Publication** to:  
Board of County Commissioners  
209 S. Blackhoof St., Room 201  
Wapakoneta, OH 45895.

Please send **invoices** to: **Auglaize County Solid Waste District**  
**P.O. Box 603**  
**St. Marys, Ohio 45885**

Thank you.

## **LEGAL NOTICE**

The Board of County Commissioners, Auglaize County, Ohio, shall open bids on Thursday, April 15, 2010 at 11:00 a.m. in the Chambers of the Board at the Auglaize County Courthouse, 209 S. Blackhoof St., Room 201, Wapakoneta, Ohio 45895 for the purchase of a used box truck for use at the County Recycle Center.

All bids shall be submitted to the Board in a sealed envelope and clearly marked "Bid for Used Box Truck". Bids may be mailed or delivered in person to the office of the Board. Bids received after the designated time shall be returned to the bidder unopened

Bid specifications may be obtained by contacting the Board of County Commissioners at the above noted address, by calling the office of the Board at 1-419-739-6710.

The Board of County Commissioners hereby reserves the right to reject any and/or all bids, and further, the right to waive informalities, irregularities, and errors in the bidding process to the extent permitted by law.

By Order of the Board of County Commissioners  
Auglaize County, Ohio  
Don Regula, President  
John N. Bergman Vice President  
Douglas A. Spencer, Member

**IN THE MATTER OF SETTING DATE, TIME AND LOCATION AT WHICH TO CONVENE IN A  
SPECIAL SESSION ON MARCH 31, 2010 OF THE AUGLAIZE COUNTY BOARD OF COMMISSIONERS.**

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 25th day of March, 2010.

Commissioner Bergman moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, pursuant to Ohio Revised Code Section 305.07, "the Board of County Commissioners may provide by Resolution for the holding of special sessions" as follows:

- March 31, 2010- 9:00 a.m. until completion of business and discussion , the Board of Auglaize County Commissioners will tour the Endless Endeavors building in Cridersville, Ohio as a possible temporary courthouse location, after which said Board will return to its Chambers in the Auglaize County Administration Building in Wapakoneta, Ohio for discussion on Courthouse relocation. .

**THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio, does hereby set the above mentioned date, time and place to convene a special session of said Board; and,

**BE IT FURTHER RESOLVED** that a copy of this Resolution be provided to The Evening Leader, The Wapakoneta Daily News, The Lima News and The Daily Standard to ensure adequate public notice of this special session.

Commissioner Spencer seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Adopted this  
25th day of  
March, 2010

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Don Regula . yes  
Don Regula

John N. Bergman . yes  
John N. Bergman

Douglas A. Spencer . yes  
Douglas A. Spencer

cc: newspapers